

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402.1 to permit a lot width of 60' instead of the required 70' and a minimum side yard of 6.5' instead of the required 15' and a sum of side yard setbacks of 25' instead of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

The income provided by the proposed apartment is needed towards living expenses during a period of several years in which the owner is training for a new career.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____ Legal Owner(s): _____
 (Type or Print Name) (Type or Print Name)
 Signature _____ Signature _____
 Address _____ Address _____
 City and State _____ City and State _____
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
 Name _____
 Address _____
 City and State _____
 Attorney's Telephone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1981, at _____ o'clock _____ A.M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 SW/S of Braeside Rd., 492'
 SF of Old Frederick Rd.,
 1st District : OF BALTIMORE COUNTY

WESLEY R. DAUB, et ux, Petitioners: Case No. 82-92-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
 Deputy People's Counsel

John W. Hession, III
 People's Counsel for Baltimore County
 Rm. 223, Court House
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 16th day of September, 1981, a copy of the foregoing

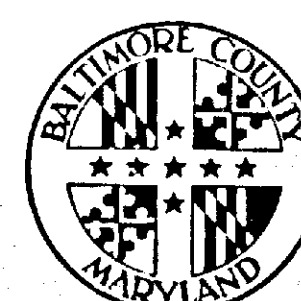
Order was mailed to Mr. and Mrs. Wesley R. Daub, 736 Braeside Road, Baltimore, Maryland 21229, Petitioners.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 23, 1981

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

Mr. & Mrs. Wesley R. Daub
 736 Braeside Road
 Baltimore, Maryland 21229

NICHOLAS B. COMMODARI
 Chairman

RE: Item No. 22
 Petitioner - Wesley R. Daub, et ux
 Variance Petition

Dear Mr. & Mrs. Daub:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to convert the existing dwelling to two apartments, this hearing is required. Particular attention should be afforded to the comments of the Department of Permits and Licenses. If additional information is required, you may contact Mr. Charles Burnham at 494-3987.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

NEC:bso

Enclosures



BALTIMORE COUNTY
 DEPARTMENT OF PUBLIC WORKS
 TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
 DIRECTOR

September 1, 1981

Mr. William E. Hammond
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #22 (1981-1982)
 Property Owner: Wesley R. & Cecilia M. Daub
 5/WS Braeside Rd. 492' S/E of Old Frederick Rd.
 Acres: 60 x 145 District: 1st

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Braeside Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Water and Sanitary Sewer:

There is a public 6-inch water main and 8-inch public sanitary sewerage in Braeside Road.

Very truly yours,

ROBERT A. MORTON, P.E., Chief
 Bureau of Public Services

RAM:EAM:FW:ISS

cc: Jack Wimbley



BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 TOWSON, MARYLAND 21204
 494-3211

NORMAN E. GENDER
 DIRECTOR

September 14, 1981

Mr. William Hammond, Zoning Commissioner
 Zoning Advisory Committee
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #22, Zoning Advisory Committee Meeting, August 4, 1981, are as follows:

Property Owner: Wesley R. and Cecilia M. Daub
 Location: SW/S Braeside Road 492' S/E of Old Frederick Road
 Acres: 60 X 145
 District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John L. Wimbley
 Planner III
 Current Planning and Development

JLW:rh

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

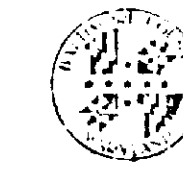
William E. Hammond, Zoning Commissioner
 TO: Office of Planning and Zoning Date: August 12, 1981
 FROM: Ian J. Forrest
 SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item #239 - Ghulan Sarwar
- Item #217 - Betty Lee Dulany, et al
- Item # 10 - Fung Kun Lun, et al
- Item # 11 - Baltimore and Ohio Railroad Company
- Item # 14 - Lewis Investment Company
- Item # 15 - North View Associates
- Item # 16 - Transportation Displays, Inc.
- Item # 17 - Gale and Helen Nelson
- Item # 18 - William and Kathryn Koenig
- Item # 19 - East Bay Development Corp.
- Item # 21 - Karen Daniels, et al
- Item # 22 - Wesley R. and Cecilia M. Daub
- Item # 23 - Demetris Demetrakis
- Item # 24 - Bertha Linnen
- Item # 26 - Robert H. and Pearl A. Bouse, Jr.
- Item # 27 - Randallstom Associates
- Item # 28 - Arundel Lumber Company, Inc.
- Item # 29 - Pulaski Industrial Park, Assoc.
- Item # 30 - Samuel L. and Margaret B. Brown
- Item # 32 - Charles J. and Eva Lee Fischer, Jr.

Ian J. Forrest, Director
 BUREAU OF ENVIRONMENTAL SERVICES

ILF/fth



BALTIMORE COUNTY
 FIRE DEPARTMENT
 TOWSON, MARYLAND 21204
 625-7310

PAUL H. RENCKE
 CHIEF

Mr. William Hammond
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Attention: Nick Commodari, Chairman
 Zoning Plans Advisory Committee

RE: Property Owner: Wesley R. & Cecilia M. Daub

Location: SW/S Braeside Road 492' S/E of Old Frederick Road

Item No.: 22 Zoning Agenda: Meeting of August 4, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Ian J. Forrest, Director
 Planning Group
 Special Inspection Division

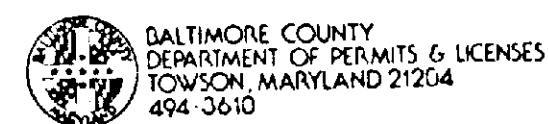
/mb/nr

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, this 6th day of October, 1981, that the herein Petition for Variance(s) to permit a lot width of 60 feet in lieu of the required 70 feet, a minimum side yard setback of 6.5 feet in lieu of the required 15 feet, and a sum of side yard setbacks of 26 feet in lieu of the required 30 feet, for the expressed purpose of converting the existing dwelling to two apartments, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Outside steps and entrance shall be added to the existing dwelling.
2. A parking space shall be provided for the apartment.
3. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Jean M. D. Jones
Deputy Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI JR.
Director

August 19, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #22 Zoning Advisory Committee Meeting, August 11, 1981
are as follows:

Property Owner: Wesley R. & Cecelia M. Daub
Location: SW/S Braeside Road 192' S/E of Old Frederick Road
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a lot width of 60' in lieu of the required 70' and a minimum side yard setback of 6.5' in lieu of the required 15' and a sum of 26' in lieu of the required 30'.
Acres: 60.54/68 31X 96.33/89 27
District: 12th

The items checked below are applicable:

- A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.
- B. A building/ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section 4.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 310.
- I. Comments - A minimum 1 hour tenant separation is required. Section 119.3 shall be applicable here.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired additional information may be obtained by visiting Room #117 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: August 3, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: August 4, 1981

RE: Item No: 17, 18, 19, 20, 21, 22, 23
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

September 18, 1981

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment regarding items numbers 17 through 23.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Associate II

MSF/rlj

Back 82-92-A 10/1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W.E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 82-92-A Item 22

Date: September 16, 1981

Petition for Variance
Southwest side of Brae side Road, 492 ft. Southeast of Old Frederick Road
Petitioner- Wesley R. Daub, et ux

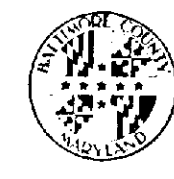
First District

HEARING: Thursday, October 1, 1981 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:ab



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

Mr. and Mrs. Wesley R. Daub
736 Braeside Road
Baltimore, Maryland 21229

RE: Petition for Variance
SW/S Braeside Rd., 492' SE of Old Frederick Rd.
Case #82-92-A

Dear Mr. and Mrs. Daub:

This is to advise you that \$45.55 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,
William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:kir

DESCRIPTION

Beginning at a point on the southwest side of Braeside Road 192' southeast of Old Frederick Road and known as lot 26 on the plat of Braeside and recorded among the land records of Baltimore County in Plat Book 8, Folio 36.

Also known as 736 Braeside Road.

PETITION FOR VARIANCE

1st DISTRICT

ZONING: Petition for Variance
LOCATION: Southwest side of Braeside Road, 492 ft. Southeast of Old Frederick Road
DATE & TIME: Thursday, October 1, 1981 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

Petition for Variance to permit a lot width of 60' instead of the required 70' and a minimum side yard of 6.5' instead of the required 15' and a sum of side yard setbacks of 26' instead of the required 30'

The Zoning Regulation to be excepted as follows:

Section 402.1 - minimum lot widths and side setbacks for 2 apartment dwelling in D.R. 10.5 Zone

All that parcel of land in the First District of Baltimore County

Being the property of Wesley R. Daub, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, October 1, 1981 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

